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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/563,615	10/05/2007	Tejal Chauhan	884A.0122.U1(US)	1965
29683 7590 02/20/2009 HARRINGTON & SMITH, PC 4 RESEARCH DRIVE, Suite 202 SHELTON, CT 06484-6212				
EXAMINER				
JAMA, ISAAK R				
ART UNIT		PAPER NUMBER		
2617				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/563,615

Applicant(s)

CHAUHAN ET AL.

Examiner

ISAAK R. JAMA

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 January 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-8508)
- Paper No(s)/Mail Date 01/30/2006
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Objections

1. Claims 12 and 13 objected to because of the following informalities: Claims 12 and 13 both recite "...second axes intersect..." axes are tools used for cutting, and Applicant misspelled axis. Appropriate correction is required.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application Publication Number 2003/0036362 (Buessler et al.).
3. Regarding claims 1, 2, 16 and 17, Buessler teaches a casing for a handheld device **[Abstract, i.e. a cover for a mobile communications device]** defining a generally planar operating face **[Figure 8A, # 12, Page 3, paragraph 0036]** for providing an input mechanism **[Page 1, paragraph 006]** and a display region **[Page 3, paragraph 0038]** and having a first axis defining an operation orientation of the device **[Figure 2A, i.e. the axis along which the keypad is located]**, the casing providing first and second side sweeps confronting each other at respective ends defining the shape of the generally planar operating face and providing discontinuities at their

respective confrontations, the alignment of the discontinuities defining a second axis along the longest span of the casing **[Figure 12, i.e. the opposing sides]** wherein the casing includes an audio axis for carrying a spaced microphone and speaker is aligned with the second axis **[Figures 1A & 1B, #s 54 and 56]**.

4. Regarding claim 3, Buessler teaches that the confrontation comprises a physical convergence of the respective side sweeps **[Figures 12, i.e. the vertical and horizontal axis]**.
5. Regarding claim 4, Buessler teaches that the confrontation is provided by external elements carried by the casing **[Paragraph 0039]**.
6. Regarding claims 5, 6, 7 and 8, Buessler teaches that the second axis lies along a diagonal that is truncated and terminated at a rounded corner **[Figure 6A, paragraph 0034; i.e. the opposing sides]**.
7. Regarding claim 9, Buessler teaches that the rounded corners provide two sweeping sides **[Figure 7A, # 120 and the opposing point]**.
8. Regarding claims 10 and 11, Buessler teaches that the elongate diagonal terminates at a point at both extremities **[Figure 7A, # 124 and the diagonally opposing point]**.
9. Regarding claim 12, Buessler teaches that the first and second axes intersect in the display region of the face **[Figure 7A, # 132]**.
10. Regarding claim 13, Buessler teaches that the first and second axes intersect at the input region of the face **[Figure 7A, # 61 (TYP)]**.

11. Regarding claims 14 and 15, Buessler teaches that the face is generally rectangular or a square **[Figure 12]**.
12. Regarding claim 16, Buessler teaches a handheld telecommunications device comprising a casing according **[Figure 1A]**.
13. Regarding claim 18, Buessler teaches that the device can be held in the hand in the proper orientation for viewing the display and lifted to the ear in proper orientation for audio communication whilst maintaining substantially the same lateral position of the user's wrist **[Figure 3, paragraph 0028]**.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patent Number 5,982,881 (Mischenko) teaches a radiotelephone handset having a faceplate to accommodate a plurality of distinctive telephone appearances. U.S. Patent Number 7,456,994 (Silverbrook et al.) teaches a mobile telecommunications device with stylus having printhead tip. U.S. Patent Number 7,366,555 (Jokinen et al.) teaches a mobile station enclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ISAAK R. JAMA whose telephone number is (571)270-5887. The examiner can normally be reached on 7:30 - 5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester G. Kincaid can be reached on (571) 272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/IRJ/

/Lester Kincaid/

Supervisory Patent Examiner, Art Unit 2617